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Message Text

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56
ACTION DHA-02

INFO OCT-01 AF-08 ISO-00 L-03 H-02 PM-04 IO-13 MCT-01

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FM AMEMBASSY LAGOS
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C O N F I D E N T I A L LAGOS 11288

E.O. 11652: GDS
TAGS: SHUM, MASS
SUBJECT: CONGRESSIONAL REQUEST FOR HUMAN RIGHTS INFORMATION

REF: (A) STATE 241285; (B) LAGOS A-30; (C) LAGOS 5708

EMBASSY CONSIDERS DRAFT AS SUBMITTED REFTEL ESSENTIALLY ACCURATE SUMMARY OF HUMAN RIGHTS SITUATION IN NIGERIA, BUT MAKES THE FOLLOWING COMMENTS AND SUGGESTIONS:

1. SOME MENTION SHOULD BE MADE OF THE EXECUTIONS CARRIED OUT FOLLOWING THE FEBRUARY COUP ATTEMPT. AT LEASE 219 MILITARY PERSONNEL AND CIVILIANS (FMG FIGURE) WERE ARRESTED ON SUSPICION OF BEING INVOLVED IN COUP. OF THESE, 130 WERE RECOMMENDED FOR TRIAL BY A SPECIAL TREASON TRIBUNAL AND OF THESE A TOTAL OF 39 WERE EXECUTED, 12 WERE SENTENCED TO LIFE IMPRISONMENT, 3 RECEIVED LESSER SENTENCES AND 56 WERE DISCHARGED FOR LACK OF EVIDENCE. THE CASES OF THE REMAINING 20 (IDENTITIES UNKNOWN) HAVE PRESUMABLY NOT BEEN COMPLETED. IT SHOULD BE EMPHASIZED, HOWEVER, THAT EXCEPT FOR PERSONS SUSPECTED OF INVOLVEMENT IN COUP ATTEMPT AND ASSASSINATION OF HEAD OF STATE, THERE ARE NO KNOWN "POLITICAL PRISONERS." SINCE THE OUSTER OF GENERAL GOWON NO ONE, TO EMBASSY'S KNOWLEDGE, HAS BEEN DETAINED FOR HIS POLITICAL BELIEFS OR STATEMENTS. EMBASSY CONSIDERED GOWON ADMINISTRATION'S HUMAN RIGHTS RECORD REASONABLY GOOD, AND WITH RELEASE OF DETAINEES FROM GOWON ERA BY PRESENT FMG, SITUATION HAS IMPROVED.

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2. DESCRIPTION OF POLITICAL SITUATION, IN ADDITION TO MEN-

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TIONING THAT RETURN TO CIVILIAN RULE HAS BEEN PROMISED FOR OCT. 1, 1979, SHOULD ADD THAT FMG TO DATE APPEARS DETERMINED TO MAINTAIN ANNOUNCED SCHEDULE OF MOVES TO THAT END.

3. SUGGEST DESCRIPTION OF LEGAL SITUATION BE CHANGED TO READ: QTE. CHAPTER III OF THE 1963 CONSTITUTION CONTAINS BROAD HUMAN RIGHTS GUARANTEES WHICH GENERALLY REMAIN IN FORCE. FROM TIME TO TIME, HOWEVER, DECREES OF FMG CIRCUMSCRIBE SOME RIGHTS. UNQTE. EXAMPLE: PUBLIC OFFICERS (SPECIAL PROVISIONS) DECREE OF MARCH 2, 1976, WHICH DENIES DISMISSED PUBLIC OFFICIALS RIGHT TO SEEK REDRESS IN COURT (REF B).

4. IN PARA 3.,888, SPECIAL POWERS DECREE IS CITED INCORRECTLY. IT SHOULD READ QTE. ARMED FORCES AND POLICE SPECIAL POWERS DECREE NO. 24 OF 1967 AND THE SUPREMACY AND ENFORCEMENT OF POWERS DECREE NO. 28 OF 1&70. UNQTE.

5. PARA 3.,II ON TREASON AND OTHER OFFENSES (SPECIAL MILITARY TRIBUNAL) DECREE (NO. 8) 1976 IS ACCURATE, BUT SHOULD PERHAPS BE COMBINED WITH DESCRIPTION OF WHAT THE TRIBUNAL DID (SEE PARA 1 ABOVE).

6. PARA 3, III SAYS PUBLIC EXECUTION IS STANDARD PRACTICE. NOT ALL EXECUTIONS ARE PUBLIC, HOWEVER. PERSONS CONDEMED BY ROBBERY AND FIREARMS TRIBUNALS ARE EXECUTED PUBLICLY, BUT DEATH SENTENCES IMPOSED BY CIVILIAN COURTS ARE CARRIED OUT BEHIND PRISON WALLS. EXECUTIONS OF ARMED ROBBERS STILL OCCUR BUT ARE BECOMING LESS FREQUENT AS POST CIVIL WAR WAVE OF VIOLENT CRIME SUBSIDES. THERE HAVE BEEN NONE IN LAGOS STATE IN PAST YEAR. HALF OF FIRST BATCH OF 32 COUP PLOTTERS WAS EXECUTED IN GRUESOME BAR BEACH SPECTACLE, BUT SECOND BATCH OF SEVEN WAS EXECUTED INSIDE PRISON ALTHOUGH FILM CLIPS OF EXECUTIONS WERE SHOWN ON TELEVISION.

7. PARA IV, EMBASSY BELIEVES ALL DETAINED REBEL ARMY OFFICERS HAVE NOW BEEN RELEASED. SEE 75 LAGOS 7771 AND 74 LAGOS 10037.

8. PARA IV, AMNESTY INTERNATIONAL QTE. REPORT ON FORTURE UNQTE. REFERS TO INCIDENTS IN CIVIL WAR WHICH ENDED OVER SIX YEARS AGO.
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9. ALSO SUGGEST NEXT TO LAST SENTENCE PARA 3., I, ON POLITICAL ACTIVITY SHOULD BE CHANGED TO READ: QTE: THERE IS A BAN ON POL-ITICAL PARTIES AND ACTIVITY, BUT NON-PARTISAN LOCAL GOVERNMENT ELECTIONS HAVE BEEN CALLED FOR DECEMBER 1976. UNQTE.
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